

IN THE SUPREME COURT OF THE STATE OF MONTANA

No. DA 10-0208

ORIGINAL

IN THE MATTER OF:

FILED

B.T.,

AUG 10 2010

A Youth.

Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANA**MOTION FOR EXTENSION OF TIME
AND AFFIDAVIT IN SUPPORT**

COMES NOW, Sarah Chase Rosario y Naber, counsel of record for Defendant and Appellant, and respectfully requests an extension of time until September 16, 2010, in which to prepare, file, and serve the Appellant's opening brief in the above-entitled matter. In support of this motion, undersigned counsel respectfully submits the following affidavit.

Respectfully submitted this 10th day of August, 2010.

OFFICE OF THE STATE PUBLIC DEFENDER
Appellate Defender Office
139 N. Last Chance Gulch
P.O. Box 200145
Helena, MT 59620-0145

By: *Joshua Hunt*
for Sarah Chase Rosario y Naber
Assistant Appellate Defender

STATE OF MONTANA)
 : ss.

County of Lewis and Clark)

I, Joslyn Hunt, being first duly sworn upon my oath, depose and state as follows:

1. I am a licensed, practicing attorney in the State of Montana, and am currently employed by the Office of State Public Defender, Appellate Defender Office, as the Chief Appellate Defender.

2. In my capacity as Chief Appellate Defender, I have assigned Sarah Chase Rosario y Naber to handle the above-entitled matter.

3. The Appellant's brief was first due on July 17, 2010. The brief is presently due on August 16, 2010.

4. Ms. Naber has been out of the office since July 26, 2010, with anti-biotic resistant pneumonia. She will return to the office on August 12, 2010.

5. Due to her illness, Ms. Naber has only read the transcripts in this matter and needs additional time to perform legal research and write the opening brief. She respectfully requests an additional extension of thirty days.

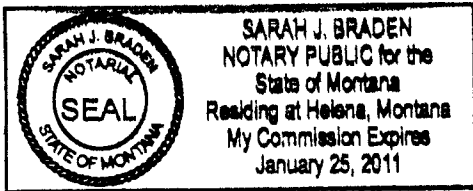
6. Ms. Naber will work diligently to complete the matter in the time requested.

7. Opposing counsel has been contacted concerning this motion and does not object.

8. Further your affiant sayeth naught.

Joselyn Hunt
JOSLYN HUNT

SUBSCRIBED AND SWORN to before me this 18th day of
August, 2010.



Sarah J. Braden
Sarah J. Braden

CERTIFICATE OF SERVICE

I hereby certify that I caused a true and accurate copy of the foregoing
Motion for Extension of Time and Affidavit in Support to be mailed to:

STEVE BULLOCK
Montana Attorney General
MARK MATTIOLI
Assistant Attorney General
215 North Sanders
P.O. Box 201401
Helena, MT 59620-1401

DENNIS PAXINOS
Yellowstone County Attorney
P.O. Box 35025
Billings, MT 59107-5025

Copy mailed to B.T.

DATED: 8/10/2010 Shahid Brader